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7

8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 RANDY BERNSTINE,)	
13 Plaintiff,)	CIVIL NO. 05-03397 EMC
14 v.)	STIPULATION AND ORDER
15 JO ANNE B. BARNHART,)	APPROVING COMPROMISE
16 Commissioner of Social Security,)	SETTLEMENT OF ATTORNEY
17 Defendant.)	FEES PURSUANT TO THE EQUAL
)	<u>ACCESS TO JUSTICE ACT</u>

18 The plaintiff's attorney having met the criteria of L.R. 54-6, by meeting and conferring with
19 defendant, IT IS HEREBY STIPULATED by and between the parties through their undersigned
20 counsel, subject to approval by the Court, that plaintiff's attorney receive the following payment:

21 1. Defendant shall pay THREE THOUSAND FOUR HUNDRED DOLLARS (\$3,400.00),
22 pursuant to the Equal Access to Justice Act (EAJA), for attorney fees incurred in this court action.

23 The check is to be payable to plaintiff's counsel:

24 JAMES H. MILLER
25 BOX 10891 GRAND LAKE STATION
OAKLAND, CA 94610
26 (510) 451-2132 fax: 0824

27 2. This is a settlement of plaintiff's request for attorney fees pursuant to EAJA, and does not
28 constitute an admission of liability or fault on the part of defendant under the Equal Access to Justice

Act.

3. Payment of the THREE THOUSAND FOUR HUNDRED DOLLARS (\$3,400.00) EAJA fees incurred in this court action, will constitute a complete release from and bar to any and all claims, rights, causes of action, liens or subrogated interests relating to attorney fees pursuant to the EAJA, or costs as a result of this court action.

Dated: July 26, 2006

/s/
JAMES HUNT MILLER
Attorney for Plaintiff

KEVIN V. RYAN
United States Attorney

Dated: July 26, 2006

By: /s/
SARA WINSLOW
Assistant United States Attorney

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: December 4, 2006

EDWARD
United States

